HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.9602 OF 2004

DATE:16-11-2006

Between:

Itikala Mallesham & 19 others

.. Petitioner

AND

The Commissioner & Director of Marketing
Government of Andhra Pradesh, Hyderabad
& another

.. Respondents

ORDER:

It seems, petitioners are the licence holders of weighman (d*adwai*) in the Agricultural Market Committee, Warangal. Fresh licences of *dadwai* were issued to them on 08-05-2004. Under the impugned proceedings dated 27-05-2004, the licences issued in favour of the petitioners were directed to be kept pending, pending further orders in the matter. This whole exercise seems to have been made on a representation made by the local M.L.A. stating that *dadwai* licenses were issued to the petitioners illegally without following the rules. If the licences were issued without following the rules, it is for the respondents to conduct an enquiry into the matter by giving an opportunity to the petitioners to give their explanation, and pass appropriate orders as per law, but they cannot keep the licences pending. The question of keeping the licences pending

after its issuance does not arise as the same were issued on 08-05-2004 itself and the petitioners have been doing the business.

While admitting the writ petition on 15-06-2004, interim order was granted suspending the impugned notice for a period of four weeks. Thereafter, interim order was extended for another three weeks and on 11-08-2004, it was extended until further orders. Thus, the petitioners are holding the licences as of now.

In view of the above, the only direction that can be given to the respondents is to conduct a detailed enquiry into the matter, if necessary, and pass appropriate orders in accordance with law. Till such time, the licences held by the petitioners shall not be disturbed.

With the above directions, the Writ Petition is disposed of. No order as to costs.

_____

C.V. RAMULU, J

Date:16-11-2006.

PV